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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/479,736	01/07/2000	Donald S Feuer	CEN2-BH43	3474
23589	7590	10/18/2005	EXAMINER	
HOVEY WILLIAMS LLP 2405 GRAND BLVD., SUITE 400 KANSAS CITY, MO 64108			PEZZLO, JOHN	
			ART UNIT	PAPER NUMBER
			2662	

DATE MAILED: 10/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/479,736

Applicant(s)

FEUER, DONALD S

Examiner

John Pezzlo

Art Unit

2662

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 January 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

I. Claims 1-4, 10-15, 19, and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Chang et al. (US 2003/0095542 A1) hereinafter Chang.

1. Regarding claim 1 – Chang discloses a computer controlled switch (gateway server) adapted for connection to a local public switched telephone network, refer to Figures 1 and 2 and column 2 paragraph [0025] and column 3 paragraph [0037].

Chang discloses gate interface circuitry connected to the computer controlled switch and adapted for connection to the IP network, refer to Figures 1 and 2 and column 2 paragraph [0025] and column 3 paragraph [0037].

2. Regarding claims 2 and 15 – Chang discloses said gate interface circuitry includes gateway circuitry for interfacing between the IP network and the voice circuits of the PSTN, and

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gatekeeper circuitry for performing address translation, admission control, bandwidth management and zone management between the IP network and the PSTN, refer to Figures 2 and 3 and column 2 paragraph [0020] and column 3 paragraph [0029] and paragraph [0034] and paragraph [0037] and column 4 paragraph [0038] and column 6 paragraph [0086].

3. Regarding claim 3 – Chang discloses a voice response unit connected between the gate interface circuitry and the switch for receiving voice signals and converting them to digital tones for the switch, refer to Figure 15 and column 2 paragraph [0025] and column 8 paragraph [0107] and column 17 paragraph [0184] and column 22 paragraph [0242].

4. Regarding claim 4 – Chang discloses a message system connected to the IP network and the switch, refer to column 2 paragraph [0022] and column 8 paragraph [0107] and column 24 Table 14 and column 26 paragraph [0284] and column 28 paragraph [0304].

5. Regarding claim 10 – Chang discloses said computer controlled switch receives incoming calls from the IP network or the PSTN and routes the incoming calls to the PSTN or IP network, refer to column 3 paragraph [0029].

6. Regarding claims 11 and 19 – Chang discloses said computer controlled switch receives an incoming call from the IP network or the PSTN and simultaneously routes the call to a plurality of pre-designated destinations which may be on the IP network, on the PSTN, or on

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both the IP network and the PSTN, refer to column 2 paragraphs [0025] and [0026] and column 3 paragraphs [0029] and [0030].

7. Regarding claims 12 and 20 – Chang discloses said computer controlled switch performs caller identification functions after routing the incoming call, refer to column 2 paragraph [0020] and column 4 paragraph [0040] and column 24 paragraphs [0260] and [0261].

8. Regarding claim 13 – Chang discloses said computer controlled switch performs Class 5 switching of incoming calls, refer to column 4 paragraph [0039] and column 23 paragraph [0254] and Table 13.

9. Regarding claim 14 – Chang discloses interfacing the digital data signals of the IP network with the voice signals of the PSTN, refer to Figures 1 and 2 and column 2 paragraph [0025] and column 3 paragraph [0037].

Chang discloses interfacing the control signals of the IP network with the PSTN to perform address translation, admission control, bandwidth management and zone management, refer to Figures 2 and 3 and column 2 paragraph [0020] and column 3 paragraph [0029] and paragraph [0034] and paragraph [0037] and column 4 paragraph [0038] and column 6 paragraph [0086].

Chang discloses routing calls between the devices connected to the IP network and devices connected to the PSTN, refer to column 3 paragraph [0029].

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

II. Claims 5-9 and 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chang (same as above) in view of Berkley et al. (US 6,546,005 B1) hereinafter Berkley.

1. Regarding claims 5 and 16 – Chang does not expressly disclose said message system receives voice messages and converts them to e-mail messages.

Berkley discloses said message system receives voice messages and converts them to e-mail messages, refer to column 12 lines 66-67 and column 13 lines 1 to 16.

At the time of the invention, it would have been obvious to an ordinary person of skill in the art to convert voice messages to e-mail messages.

The suggestion/motivation for doing so would have been that Chang discloses providing additional features to the users and Chang provides for telephone to computer communicates therefore providing voice message to e-mail conversion would allow a user at a computer to view the voice message as an e-mail.

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2. Regarding claims 6 and 17 – Chang does not expressly disclose said message system receives facsimile messages and converts them to e-mail messages.

Berkley discloses said message system receives facsimile messages and converts them to e-mail messages, refer to column 10 lines 53 to 67 and column 11 lines 1 to 16.

At the time of the invention, it would have been obvious to an ordinary person of skill in the art to convert fax messages to e-mail messages.

The suggestion/motivation for doing so would have been that Chang discloses providing additional features to the users and Chang provides for telephone to computer communicates therefore providing fax message to e-mail conversion would allow a user at a computer to receive the fax message as an e-mail directly to the computer.

3. Regarding claims 7 and 18 – Chang does not expressly disclose said message system receives e-mail messages and converts them to voice messages.

Berkley discloses said message system receives e-mail messages and converts them to voice messages, refer to column 5 lines 49 to 61.

At the time of the invention, it would have been obvious to an ordinary person of skill in the art to convert e-mail messages to voice messages.

The suggestion/motivation for doing so would have been that Chang discloses providing additional features to the users and Chang provides for telephone to computer communicates therefore providing e-mail message to voice conversion would allow a user with a telephone to receive the voice message which was sent as an e-mail message from a computer.

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4. Regarding claim 8 – Chang discloses the devices connected to the IP network are computers or telephones with a gateway circuitry interface, refer to column 2 paragraph [0025].

5. Regarding claim 9 – Chang discloses the computers connected to the IP network include multi-media software for packetizing voice signals into a digital format for transmission over the IP network, refer to column 8 paragraph [0106].

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

1. Cave et al. (2001/0005382 A1) discloses a system and method for packet network media redirection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Pezzlo whose telephone number is (571) 272-3090. The examiner can normally be reached on Monday to Friday from 8:30 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou, can be reached on (571) 272-3088. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2600.

Any response to this action should be mailed to:



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Commissioner of Patents and Trademarks

Washington, D.C.

or faxed to:

(571) 273-8300

For informal or draft communications, please label "PROPOSED" or "DRAFT"

Hand delivered responses should be brought to:

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2A15

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John Pezzlo

24 September 2005



**JOHN PEZZLO**  
**PRIMARY EXAMINER**